

1 THE HONORABLE JOHN C. COUGHENOUR  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 PETER LEMMAN,

11 Plaintiff,

v.

12 BENJAMIN PATRICK FOLEY, PETER  
13 WILSON, DAVID STEINER, WENDY  
14 STEINER,

Defendants.

CASE NO. C20-0591-JCC

ORDER

16 This matter comes before the Court on Defendant and Cross-Claimant Benjamin Foley's  
17 renewed motion for entry of default judgment against Defendant Peter Wilson (Dkt. No. 38).  
18 Having thoroughly considered the motion and the relevant record, the Court FINDS as follows:

- 19 1. Defendant Wilson was properly served in this matter on or about July 10, 2020, (Dkt.  
20 No.17);  
21 2. The Clerk entered an order of default against Defendant Wilson on Defendant Foley's  
22 cross-claims on August 20, 2020, (Dkt. No. 26);  
23 3. Defendant Wilson has failed to appear or otherwise defend in this action; and  
24 4. The factors set forth in *Eitel v. McCool*, 782 F.2d 1470, 1471–72 (9th Cir. 1986) support  
25 granting default judgment in Defendant Foley's favor.

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ORDER  
C20-0591-JCC  
PAGE - 1

1 Accordingly, the Court ORDERS as follows:

- 2 1. Defendant Foley's renewed motion for default judgment against Defendant Wilson (Dkt.  
3 No. 38) is GRANTED;
- 4 2. Defendant Wilson is ORDERED to pay Defendant Foley a total of \$512,660.26,  
5 consisting of:
  - 6 a. \$473,868.00 judgment;
  - 7 b. \$38,792.26 pre-judgment interest;
- 8 3. Post-judgment interest will accrue at the rate of 9% per annum.

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10 DATED this 8th day of January 2021.

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John C. Coughenour  
UNITED STATES DISTRICT JUDGE